

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**PATRICK JOSEPH CHAREST,           :**  
**AIS 182262,                               :**

**Petitioner,                               :**

**vs.   :**

**CA 10-0067-CG-C**

**BILLY MITCHEM,                               :**

**Respondent.                               :**

**JUDGMENT**

In accordance with the order entered on this date, it is hereby **ORDERED**, **ADJUDGED**, and **DECREED** that the present habeas corpus petition, filed pursuant to 28 U.S.C. § 2254, be dismissed with prejudice due to petitioner's failure to comply with 28 U.S.C. § 2244(b)(3)(A). Charest is not entitled to a certificate of appealability and, therefore, he is not entitled to appeal *in forma pauperis*.

**DONE** and **ORDERED** this 8th day of June, 2010.

/s/ Callie V. S. Granade  
UNITED STATES DISTRICT JUDGE